

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

FREDRICK EARL JOHNSON,

Petitioner,

File No: 2:08-cv-147

v.

HON. ROBERT HOLMES BELL

GERALD HOFBAUER,

Respondent.

_____ /

**MEMORANDUM OPINION AND ORDER ADOPTING
MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

This matter is before the Court on a habeas corpus petition filed pursuant to 28 U.S.C. § 2254 by Petitioner Fredrick Earl Johnson. On June 30, 2010, the Magistrate Judge issued a Report and Recommendation (“R&R”), recommending that this Court deny the petition. (Dkt. No. 19.) The R&R was duly served on the parties, no objections have been filed, and the deadline for doing so has expired. The Court has reviewed the matter and concludes that the R&R correctly analyzes the issues and makes a sound recommendation.

Accordingly,

IT IS HEREBY ORDERED that the June 30, 2010, R&R of the Magistrate Judge is **APPROVED** and **ADOPTED** as the opinion of the Court.

IT IS FURTHER ORDERED that Petitioner’s petition for writ of habeas corpus (Dkt. No. 1) is **DENIED**.

IT IS FURTHER ORDERED that a certificate of appealability is **DENIED**.

Dated: September 29, 2010

/s/ Robert Holmes Bell

ROBERT HOLMES BELL

UNITED STATES DISTRICT JUDGE